



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.33877 of 2025

Suresh

... Petitioner

Vs.

State of Tamilnadu,
Rep. by Inspector of Police,
S7, St.Thomas Mount Police Station,
Madipakkam.
(Crime No.139 of 2021)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita of BNSS, to enlarge the petitioner on bail in
Crime No.139 of 2021 on the file of the respondent police.

For Petitioner : Mr.Annakkodi

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner, who was apprehending arrest at the hands of the
respondent police for the offences punishable under Sections 406, 420,
506(i) of IPC in Crime No.139 of 2021, seeks anticipatory bail.



WEB COPY

2. The allegation against the petitioner is that the petitioner joining hands with the other accused made a promise to obtain a job contract for the defacto complainant and, in that process, availed a loan and collected a sum of Rs.10,00,000/- and 88 sovereigns of gold jewels from the defacto complainant. Subsequently, the petitioner is alleged to have cheated the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the allegations are false and that the petitioner has not collected any money. It is further submitted that the FIR only states that the defacto complainant was present along with the first accused, who is alleged to have collected the money. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl Side) would submit that the petitioner received money from the defacto complainant and that the said amount was demanded by the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials available on record.



6. Considering the fact that there is no overt act attributed to the petitioner and that the main allegations and overt acts are attributed only to the first accused, and having regard to the over all facts and circumstances of the case, this Court is of the view that custodial interrogation of the petitioner is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Alandur**, on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)**, with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix his photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of



Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

05.01.2026

kmm



To

1. The Judicial Magistrate No.II, Alandur.

2. The Inspector of Police,
S7, St.Thomas Mount Police Station,
Madipakkam.

3. The Public Prosecutor,
High Court of Madras.



WEB COPY



K.RAJASEKAR, J.

kmm

Crl.O.P.No.33877 of 2025

05.01.2026